

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**ROQUE ARANDA TERCERO,**

**Petitioner,**

**v.**

**Case No. 11-cv-1035 JCH/SMV**

**KENNETH J. GONZALES,  
JANET NAPOLITANO,  
ADRIAN MACIAS, and RAY TERRY,**

**Respondents.**

**ORDER RESERVING RULING  
ON SECOND MOTION FOR EVIDENTIARY HEARING**

**THIS MATTER** is before the Court on Petitioner's [Second] Motion for Evidentiary Hearing . . . [Doc. 22], filed on April 16, 2012. Petitioner requests an evidentiary hearing and to subpoena certain witnesses. [Doc. 22] at 1–2. The Court reserves ruling on Petitioner's request for an evidentiary hearing until the merits of the Petition are addressed.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that ruling is **RESERVED** on Petitioner's Motion for Evidentiary Hearing . . . [Doc. 22].

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**